

ROBERT S. LARSEN, ESQ.
Nevada Bar No. 7785
DAVID T. GLUTH, II, ESQ.
Nevada Bar No. 10596
WING YAN WONG, ESQ.
Nevada Bar No. 13622
DIONE C. WRENN, ESQ.
Nevada Bar No. 13282
GORDON REES SCULLY MANSUKHANI, LLP
300 South 4th Street, Suite 1550
Las Vegas, Nevada 89101
Telephone: (702) 577-9300
Facsimile: (702) 255-2858
E-Mail: rlarsen@grsm.com
dgluth@grsm.com
wwong@grsm.com
dwrenn@grsm.com

Attorneys for Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DIAMOND RESORTS CORPORATION, a)	Case No.: 2:19-cv-00227-APG-NJK
Maryland corporation; DIAMOND RESORTS)	
HOLDINGS, LLC, a Nevada limited liability)	STIPULATION AND ORDER TO
company; and DIAMOND RESORTS)	EXTEND TIME TO FILE
INTERNATIONAL, INC, a Delaware corporation,)	RESPONSE MOTION FOR
)	PRELIMINARY INJUNCTION
Plaintiffs,)	[ECF NO. 2]
)	
vs.)	FIRST REQUEST
)	
KYLE BROWN, an individual; MARTIN BROWN,)	
an individual; EXCHANGE POINTS CLUB, LLC, a)	
Florida and Missouri limited liability company;)	
PREMIER REWARDS LLC, a Missouri limited)	
liability company; VMG RESORTS LLC, a Missouri)	
limited liability company; VACATION)	
MANAGEMENT GROUP, LLC, a Missouri limited)	
liability company; and OWNER EXTRAS, LLC, a)	
Missouri limited liability company,)	
)	
Defendants.)	

Pursuant to Local Rules 6-1 and 7-1, Plaintiffs DIAMOND RESORTS CORPORATION,
DIAMOND RESORTS HOLDINGS, LLC, and DIAMOND RESORTS INTERNATIONAL,
INC., (“Plaintiffs”), and Defendants, KYLE BROWN, MARTIN BROWN, EXCHANGE

POINTS CLUB, LLC, PREMIER REWARDS LLC, VMG RESORTS LLC, VACATION MANAGEMENT GROUP, LLC, and OWNER EXTRAS, LLC (“Defendants”), by and through their respective attorneys of record, stipulate as follows:

STIPULATION

1. Plaintiffs filed their Complaint on February 6, 2019 [ECF No. 1] alleging causes of action for alleging causes of action for violations of the Lanham Act, among other claims.

2. At the same time they filed their Complaint, Plaintiffs also filed an Emergency Motion for Preliminary Injunction [EFC No. 2].

3. Although the Defendants had not appeared (and were not served with the Summons, Complaint, or Emergency Motion until after February 6, 2019), the Court’s docket assigned a due date for Defendants to respond to the Emergency Motion for Preliminary Injunction of February 20, 2018.

4. Defendants initially retained a law firm in Las Vegas to represent them in this matter. However, that law firm subsequently advised Defendants that it had a conflict and could not represent Defendants in this case.

5. In the afternoon of February 18, 2019, Defendants were able to regain Gordon Rees Scully Mansukhani to represent them in this lawsuit.

6. However, due to the short time period, Defendants’ attorneys have not had a chance to obtain documents or discuss in detail with the Defendants the allegations of the Complaint or the arguments raised in the Emergency Motion for Preliminary Injunction.

7. Defendants request an extension to allow them to fully review and respond to the allegations and the arguments in the Emergency Motion for Preliminary Injunction.

8. Defendants request an extension until March 6, 2019 to file their response to the Emergency Motion for Preliminary Injunction.

9. The parties have conferred and have agreed to the requested extension and schedule described above.

10. The parties also agree that the Plaintiffs agreeing to the extension does not constitute an admission that they are not suffering irreparable harm as set forth in the Emergency

1 Motion for Preliminary Injunction. Plaintiffs further state that they are agreeing to these
2 extensions solely as a matter of professional courtesy, based on the representation that
3 undersigned counsel for Defendants was only retained on the afternoon of February 18, 2019,
4 and continue to believe that Defendants' conduct, as described in their motion papers, is causing
5 them irreparable harm.

6 11. This stipulation is not made for purposes of delay.

7 12. Therefore, the parties agree that Defendants' response to the Emergency Motion
8 for Preliminary Injunction is now due on or before March 6, 2019.

9
10 DATED: February 22, 2019.

DATED: February 22, 2019.

11 GORDON REES SCULLY
12 MANSUKHANI, LLP

BALLARD SPAHR LLP

13 /s/ Robert S. Larsen

/s/ Abran E. Vigil

14 ROBERT S. LARSEN, ESQ.
15 Nevada Bar No. 7785
300 South 4th Street, Suite 1550
Las Vegas, Nevada 89101

ABRAN E. VIGIL, ESQ.
Nevada Bar No. 7548
1980 Festival Plaza Drive, Suite 900
Las Vegas, Nevada 89135

16 Attorneys for Defendants

Attorneys for Plaintiffs

17
18 **ORDER**

19 IT IS SO ORDERED.

20 
21 UNITED STATES DISTRICT JUDGE
22 Dated: February 25, 2019.
23
24
25
26
27
28